

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
IN CLERK'S OFFICE
2005 DEC 28 P 3:45
U.S. DISTRICT COURT
DISTRICT OF MASS.

UNITED STATES OF AMERICA)
)
)
 v.)
)
)
 CARLOS MARRERO,)
)
 Defendant.)

CRIM. NO. 05-30017-MAP

INFORMATION

Comes now the United States of America, by and through Michael J. Sullivan, United States Attorney for the District of Massachusetts, pursuant to Title 21, United States Code, Section 851(a)(1), and states that it is the intent of the United States to rely upon previous felony drug convictions of defendant CARLOS MARRERO to increase the punishment that may be imposed by this Court upon defendant CARLOS MARRERO'S conviction for the drug offenses alleged in the Indictment in the above-captioned matter.

The prior felony convictions upon which the Government intends to rely regarding CARLOS MARRERO are the following:

1. a conviction for Trafficking a Controlled Substance (Cocaine), Hampden County Superior Court, Indictment No. 95-587;
2. a conviction for Possession with Intent To Distribute a Class A Substance (Heroin) Subsequent Offense; Hampden County Superior Court, Indictment No. 94-1161; and
3. a conviction for Possession with Intent To Distribute a Class A Substance (Heroin) within a School Zone, Hampden

County Superior Court, Indictment No.
94-1160; and

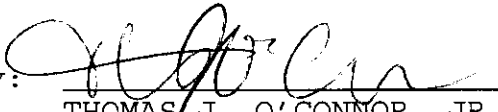
4. a conviction for Distributing a Class B
Substance (Cocaine), Hampden County
Superior Court, Indictment No. 91-1250.

Photocopies of the certified copies of the convictions,
clerk's logs, and appearances of counsel are attached and are
incorporated fully herein. The original certified copies are in
the custody of the government.

Filed this 28th day of December, 2005.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: 
THOMAS J. O'CONNOR, JR.
Assistant U.S. Attorneys

CERTIFICATE OF SERVICE

This is to certify that I have this day served upon the
person listed below a copy of the foregoing document by
depositing in the United States mail a copy of same in an
envelope bearing sufficient postage for delivery:

Linda J. Thompson, Esq.
Thompson & Thompson, P.C.
1331 Main Street
Springfield, MA 01103

This 28th day of December, 2005.


Thomas J. O'Connor, Jr.
Assistant U.S. Attorneys

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, ss.

SUPERIOR COURT
INDICTMENT NO 95- 587

COMMONWEALTH

VS.

JOSE RAMOS

INDICTMENT
TRAFFICKING IN CONTROLLED SUBSTANCE
(COCAINE)
GENERAL LAWS CHAPTER 94C, SECTION 32E(b)

At the SUPERIOR COURT, begun and holden at SPRINGFIELD, within and for the COUNTY of HAMPDEN, on the first Monday of March 1995. THE GRAND JURORS for the Commonwealth of Massachusetts on their oath present that:

JOSE RAMOS

defendant herein, of ADDRESS UNKNOWN, on or about March 4, 1995, at HOLYOKE in the COUNTY of HAMPDEN, did traffick in COCAINE or any salt or mixture thereof by knowingly or intentionally manufacturing, distributing or dispensing, or possessing with intent to manufacture, distribute or dispense, or did bring into the Commonwealth a quantity of COCAINE or any salt or mixture thereof, with a net weight of Twenty-Eight Grams or more, but less than One Hundred Grams.

A TRUE BILL

Care Galm
Foreman of the Grand Jury

Asst Ellen Berger
District Attorney

RETURN

HAMPDEN, ss. On this 22nd day of March, 1995, this indictment was returned and presented to said Superior Court by the Grand Jury, and ordered to be filed and filed.

ATTEST:

Elizabeth R. Yancopon
Assistant Clerk

4056I

A true copy:

Attest:

Ellen M. Smith
Assistant Clerk

Hampden Division
Superior Court Department
Marie G. Mazza, Esq.
Clerk /Magistrate

CLERK'S LOG

95 587
Case No. _____

COMMONWEALTH v.

JOSE RAMOS

Mark Mastromarino
Assistant District Attorney

James P. Davis
Attorney for Defendant

Date	Judge	Procedure	Clerk	Ct. Reporter
3/30/95	Cardozo, J.	CPCS apptd \$15,000.00 PLEA: P.N.G. BAIL: C/S w/10 p/4 Date of: Pretrial Conference: 4/13/95	Dargatz	Fleaherty
		Drug rights given		
4/13/95	Josephson, J.	Cont'd. to 4-18-95 for P.R.C.	K. McNeel	P. Philbin
4/18/95	Josephson, J.	Disc. mo. filing 4-25-95; Disc. mo. hearing 5-12-95; Trial, mo. filing 5-9-95; Trial, mo. hearing 5-16-95; 4-22-95, 6-12-95; and Trial 6-26-95.	K. McNeel	A. Bencke
4/20/95	Josephson, J.	Bail \$15,000.00 c/a w/o. prep. Withdrawal of app. of K. McNeel, Reg. is approved.	K. McNeel	A. Bencke
5/2/95	Spina, J.	Cont'd to 5/8/95 for motion hearing.	Hinley	Bencke
5/8/95	Spina, J.	Cont'd to 5/10/95 for motion hearing.	Hinley	Bencke
5/10/95	Spina, J.	Cont'd to 5/10/95 for evidentiary hearing.	Hinley	Bencke
5/10/95	Spina, J.	Motions heard. Cont'd to 5/18/95 for ex evidentiary hearing.	Hinley	Bencke
5/18/95	Morimoty, J.	Retracts and pleads guilty, to so much of the Indictment that alleges more than 14 but less than 20 grams, Court Accepts plea Sentence: M.C.I. C.J. for not more than 3 yrs 1 day and not less than 3 years concurrent with sentence in 94-1161 W/o for waived, Credit for 75 days	Fitzgerald	Fleaherty

A true copy:

Attest:

Erin McEneaney

Commonwealth of Massachusetts

HAMPDEN, SS.

SUPERIOR COURT
DEPARTMENT OF THE TRIAL COURT
NO.

95587

HAMPDEN COUNTY
SUPERIOR COURT
FILED
MAR 30 1995

COMMONWEALTH

- vs -

Marie J. Magga
CLERK-MAGISTRATE

Jose Ramo
APPEARANCE

In the above entitled action *dpc*
appear for *Defendant*

Edward P. ...
Attorney

A true copy:

Don M. Gault
Assistant Clerk

Form 1Cr.

Commonwealth of Massachusetts

HAMPDEN, SS.

SUPERIOR COURT
DEPARTMENT OF THE TRIAL COURT

NO. 95-0587

COMMONWEALTH

- VS -

JOSE RAMOS
APPEARANCE

HAMPDEN COUNTY,
SUPERIOR COURT,
FILED
APR 20 1995

Francis J. Magga
CLERK-MAGISTRATE

In the above entitled action I w. 71
appear for the defendant.

Attorney

D. G. Bass, Esq.

Address

Telephone

1446 Broad Ave, Springfield, MA
(413) 732-7900 01105

A true copy:

Attest:

John M. Hunter
Assistant Clerk

Form 1Cr.

HAMPDEN, ss.

SUPERIOR COURT
INDICTMENT NO. 94 1161

COMMONWEALTH

VS.

CARLOS MARRERO

INDICTMENT
UNLAWFUL POSSESSION OF A CONTROLLED SUBSTANCE
WITH INTENT TO DISTRIBUTE
(CLASS A - HEROIN)
(SUBSEQUENT OFFENSE)
GENERAL LAWS CHAPTER 94C, SECTION 32

At the SUPERIOR COURT, begun and holden at SPRINGFIELD, within and for the COUNTY of HAMPDEN, on the first Monday of June 1994. THE GRAND JURORS for the Commonwealth of Massachusetts on their oath present that:

CARLOS MARRERO

defendant herein, of SPRINGFIELD in the COUNTY of HAMPDEN, on or about May 15, 1994, at SPRINGFIELD in the COUNTY of HAMPDEN, not being authorized by the provisions of Chapter 94C of the General Laws, did knowingly or intentionally manufacture, distribute or dispense, or possess with intent to manufacture, distribute or dispense, a controlled substance in CLASS A, namely: HEROIN, the said CARLOS MARRERO having been previously convicted of a similar offense in the Hampden County Superior Court on August 5, 1991.


A TRUE BILL

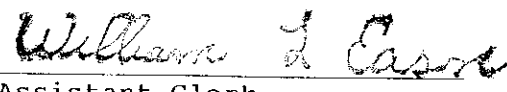
Foreman of the Grand Jury

District Attorney

RETURN

HAMPDEN, ss. On this 16th day of June, 1994, this indictment was returned and presented to said Superior Court by the Grand Jury, and ordered to be filed and filed.

ATTEST:


Assistant Clerk

3265I

A true copy:

Attest:


Assistant Clerk

Hampden Division
Superior Court Department
William J. Martin, Jr.
Clerk/Magistrate

CLERK'S LOG

Case No. 94 1161

COMMONWEALTH v.

CARLOS MARRERO

Frank Dean
Assistant District Attorney

Richard Rubin
Attorney for Defendant

Date	Judge	Procedure	Clerk	Ct. Reporter
7-13-94	Spina	PLEA: P.N.G. BAIL: Date of: Pretrial Conference:		
10-28-94	Moriarty, J.	Jury trial begins with 94-1100, 94-1129-1130 and 94-1155-1157.	Linky	Kramer
10-31-94	Moriarty, J.	Jury continues.	Linky	Kramer
11-1-94	Moriarty, J.	Jury trial continues. Defendant's oral motion for a required finding of not guilty is denied at the close of the Commonwealth's evidence. Defendant's oral motion for a required finding of not guilty is denied at the close of all of the evidence and is denied.	Linky	Kramer
11-2-94	Moriarty, J.	Jury trial continues. Verdict - Guilty Jury trial for the subsequent offense portion of the indictment begins with 94-1130 with the same impaneled jury. Defendant's oral motion for a required finding of not guilty is denied at the close of the Commonwealth's evidence. Verdict - Guilty of the subsequent offense.	Linky	Kramer

Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, ss.

SUPERIOR COURT
INDICTMENT NO. **94 1160**

COMMONWEALTH

VS.

CARLOS MARRERO

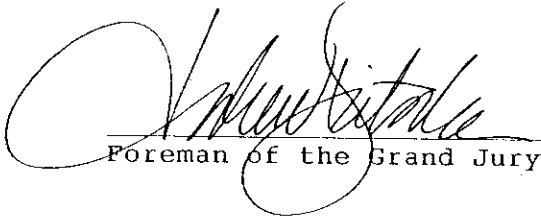
INDICTMENT
UNLAWFUL POSSESSION WITH INTENT TO DISTRIBUTE CLASS A SUBSTANCE
WITHIN ONE THOUSAND FEET OF A SCHOOL
GENERAL LAWS CHAPTER 94C, SECTION 32J
(HEROIN)

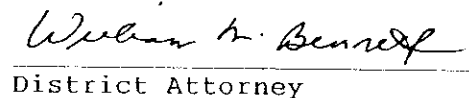
At the SUPERIOR COURT, begun and holden at SPRINGFIELD, within and for the COUNTY of HAMPDEN, on the first Monday of June 1994. THE GRAND JURORS for the Commonwealth of Massachusetts on their oath present that:

CARLOS MARRERO

defendant herein, of SPRINGFIELD in the COUNTY of HAMPDEN, on or about May 15, 1994, at SPRINGFIELD in the COUNTY of HAMPDEN, while in, on, or within one thousand feet of the real property comprising a public or private elementary, vocational, or secondary school, to wit, DEBERRY SCHOOL whether or not in session, or within one hundred feet of a public park or playground did violate the provisions of section 32, 32A, 32B, 32C, 32D, 32E, 32F, or 32I of chapter ninety-four C of the General Laws, as amended in violation of section 32J of chapter 94C of the Massachusetts General Laws, as amended.

A TRUE BILL


Foreman of the Grand Jury


District Attorney

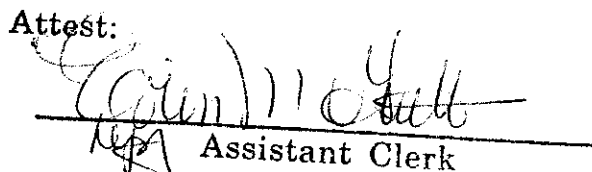
RETURN

HAMPDEN, ss. On this 16th day of June, 1994, this indictment was returned and presented to said Superior Court by the Grand Jury, and ordered to be filed and filed.

ATTEST:


Assistant Clerk

A true copy:

Attest:

Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, ss.

SUPERIOR COURT
INDICTMENT NO.

94 1160

COMMONWEALTH

VS.

CARLOS MARRERO

INDICTMENT

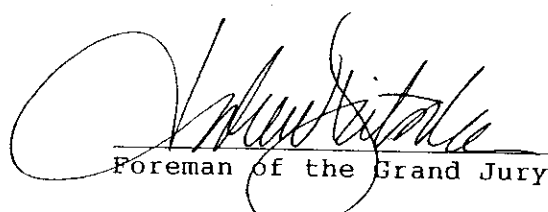
UNLAWFUL POSSESSION WITH INTENT TO DISTRIBUTE CLASS A SUBSTANCE
WITHIN ONE THOUSAND FEET OF A SCHOOL
GENERAL LAWS CHAPTER 94C, SECTION 32J
(HEROIN)

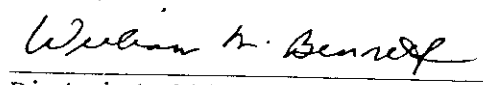
At the SUPERIOR COURT, begun and holden at SPRINGFIELD,
within and for the COUNTY of HAMPDEN, on the first Monday of
June 1994. THE GRAND JURORS for the Commonwealth of
Massachusetts on their oath present that:

CARLOS MARRERO

defendant herein, of SPRINGFIELD in the COUNTY of HAMPDEN, on
or about May 15, 1994, at SPRINGFIELD in the COUNTY of HAMPDEN,
while in, on, or within one thousand feet of the real property
comprising a public or private elementary, vocational, or
secondary school, to wit, DEBERRY SCHOOL whether or not in
session, or within one hundred feet of a public park or
playground did violate the provisions of section 32, 32A, 32B,
32C, 32D, 32E, 32F, or 32I of chapter ninety-four C of the
General Laws, as amended in violation of section 32J of chapter
94C of the Massachusetts General Laws, as amended.

A TRUE BILL

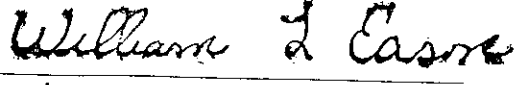

Foreman of the Grand Jury


District Attorney

RETURN

HAMPDEN, ss. On this 16th day of June, 1994,
this indictment was returned and presented to said Superior
Court by the Grand Jury, and ordered to be filed and filed.

ATTEST:


Assistant Clerk

A true copy:

Attest:


Assistant Clerk

Hampden Division
Superior Court Department
William J. Martin, Jr.
Clerk/Magistrate

CLERK'S LOG

Case No. 94 1160

COMMONWEALTH v.

CARLOS MARRERO

Assistant District Attorney

Attorney for Defendant

Date	Judge	Procedure	Clerk	Ct. Reporter
7-13-94	Spina	Court appoints A.D. G. Mason Rule 33 PLEA: P.N.G. BAIL: 1,000 CLS Date of: Pretrial Conference: 7-27-94	ERSON	Becke
		DRUG RIGHTS GIVEN		
7/27/94	Ford	cont. to 10/25/94 for Trial	Fitzgerald	GROSSMAN
9-16-94	Carbont	Motion Hearing 9-20-94 Trial 08-94	ERSON	Freen
9-20-94	Carbont	Motions Heard continued to the Trial date 10-25-94	ERSON	Freen
10-6-94	Josephson	continued to the Trial date 10-25-94	ERSON	Freen
10-26-94	Morinty, J.	Motion to suppress hearing.	Hilly	Grossman
✓ 10-28-94	Morinty, J.	Motion to suppress hearing continued - Motion is suppressed Denial	Hilly	Grossman
		Jury trial begins with *94-1101, *94-1129-1130 and *94-1155-1157, Christine O'Reilly is selected as jury forelady.		
✓ 10-31-94	Morinty, J.	Default + warrant to issue. Bail Hilly is ordered forfeited. Trial continues in the defendant's absence. Defendant is voluntarily absent. Time is issued.	Hilly	Grossman
✓ 11-1-94	Morinty, J.	Jury trial continues. Defendant's and motion for required finding of not guilty is denied at the close of	Hilly	Grossman

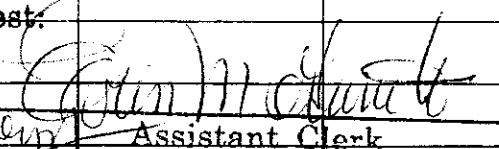
Hampden Division
Superior Court Department
William J. Martin Jr.
Clerk/Magistrate

PAGE 2
CLERK'S LOG

Case No. 94-1100

COMMONWEALTH V.

Carlos Manner

Date	Judge	Procedure	Clerk	Ct. Reporter
cont. 11-1-94	Moriarty, J.	the Commonwealth's evidence. Defendant's oral motion for a required finding of not is reserved at the close of all of the evidence and is denied	Gilley	Shannon
11-2-94	Moriarty, J.	Jury trial continues. Verdict: Guilty	Gilley	Krasner
1-19-95	Moriarty, J.	Order of 10-31-94 is vacated. Order for forfeiture of bail is allowed	Gilley	—
5/10/95	Spina, J.	Default is entered and the Warrant is recalled. Held up right to bail, ordered revoked. Cont. 5-18-95 sentencing.	Gilley	Bouck
5/18/95	Moriarty, J.	Sentence: Hampden County House of Correction for 2 years from and After Sentence in 94-1161 Motion for Forfeiture - Allowed Def. AKA as Jose Ramos Issued.	Fitzgerald	Flaherty
A true copy:				
Attest:				
 Erin M. Gault Assistant Clerk				

Commonwealth of Massachusetts

HAMPDEN, SS.

SUPERIOR COURT

DEPARTMENT OF THE TRIAL COURT

NO. 94-1160-61

COMMONWEALTH

- vs -

CARLOS MARRERO

APPEARANCE

In the above entitled action
appear for

HAMPDEN
SUPERIOR COU.
FILED
JUL 13 1994

William J. Martini
CLERK/MAGISTR

George Nasser
Attorney

55 State
Address

731 5820
Telephone

A true copy:

Attest:

William J. Martini
Assistant Clerk
Form 1Cr.

HAMPDEN SUPERIOR COURT 91-1250

See 91-1248

COMMONWEALTH VS. CARLOS MARRERO, ALIAS

Offense: UNLAWFUL DISTRIBUTION OF A CONTROLLED SUBSTANCE (CLASS B-COCAINE) Bail:

C94C S32A

Counsel:

1991 MAY 13	1	Entered
Aug. 5		Retracts and pleads guilty.
		Court accepts plea.
		Finding. (Murphy, J.)
		Sentence: MCI Cedar Junction for the term of not more than 5 years and not less than 3 years.
		Coc/w 91-1248. Credit 101 days.
		Drug assessment waived. (Murphy, J.)

A TRUE COPY

OF THE DOCKET MINUTES.

IN WITNESS WHEREOF, I hereunto

set my hand, and have caused the seal

of the Superior Court for the County

of Hampden to be affixed on this

12/15th day of October 2005

Deborah A. Plunkett

Deputy Clerk